

AMENDED IN ASSEMBLY MAY 16, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1429

Introduced by Assembly Member Chesbro
(Principal coauthors: Senators Evans and La Malfa)

March 25, 2011

An act to ~~add Section 8686.5 to~~ *amend Section 8686 of the Government Code*, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1429, as amended, Chesbro. Disaster relief: March 2011 tsunami.

The California Disaster Assistance Act generally provides that the state share for disaster project allocations to local agencies is *no more than 75%* of total state eligible costs, except for specified events for which the state share is *up to 100%* of state eligible costs.

This bill would add the *effects of the* tsunami that occurred in ~~Mendocino County and Del Norte County~~ in March 2011, to the *list of* events for which the state share of state eligible cost is *up to 100% and exempt the county from a specified planning requirement as a condition of receiving this level of assistance*.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 8686 of the Government Code is amended*
2 *to read:*

3 8686. (a) For any eligible project, the state share shall amount
4 to no more than 75 percent of total state eligible costs.

5 (b) Notwithstanding subdivision (a), the state share shall be up
6 to 100 percent of total state eligible costs connected with the
7 following events:

8 (1) The October 17, 1989, Loma Prieta earthquake.

9 (2) The October 20, 1991, East Bay fire.

10 (3) The fires that occurred in southern California from October
11 1, 1993, to November 30, 1993, inclusive.

12 (4) The January 17, 1994, Northridge earthquake.

13 (5) Storms that occurred in California during the periods
14 commencing January 3, 1995, and February 13, 1995, as specified
15 in agreements between this state and the United States for federal
16 financial assistance.

17 (6) The storms that occurred in California in December of 1996
18 and early January of 1997, as specified in agreements between this
19 state and the United States for federal financial assistance.

20 (7) The winter storms and flooding that occurred from February
21 1, 1998, to April 30, 1998, inclusive, as specified in agreements
22 between this state and the United States for federal financial
23 assistance.

24 (8) The wildfires that occurred in southern California
25 commencing October 21, 2003, as specified in agreements between
26 this state and the United States for federal financial assistance.

27 (9) The December 22, 2003, San Simeon earthquake, as
28 specified in agreements between this state and the United States
29 for federal financial assistance.

30 (10) The severe storms, flooding, debris flows, and mudslides
31 that occurred during December 27, 2004, to January 11, 2005,
32 inclusive, in southern California, as specified in agreements
33 between this state and the United States for federal financial
34 assistance.

35 (11) The severe storms, flooding, landslides, and mud and debris
36 flows that occurred in southern California during the period from
37 February 16 to February 23, 2005, inclusive, as specified in

1 agreements between this state and the United States for federal
2 financial assistance.

3 (12) The severe storms, flooding, mudslides, and landslides that
4 occurred in northern California during the period from December
5 17, 2005, to January 3, 2006, inclusive, as specified in agreements
6 between this state and the United States for federal financial
7 assistance.

8 (13) The severe storms and flooding that occurred in northern
9 and central California during the period from March 29, 2006, to
10 April 16, 2006, inclusive, as specified in agreements between this
11 state and the United States for federal financial assistance.

12 *(14) The effects of the tsunami that occurred in the County of*
13 *Del Norte on March 10, 2011, as specified in agreements between*
14 *this state and the United States for federal financial assistance.*
15 *Section 8685.9 does not apply to the state share of assistance*
16 *provided pursuant to this paragraph.*

17 (c) For any federally declared disaster subsequent to January 1,
18 1995, that the Legislature has designated in subdivision (b), the
19 state shall assume the increased share specified in subdivision (b)
20 in those cases where the Federal Emergency Management Agency
21 or another applicable federal agency has approved the federal share
22 of costs.

23 (d) The state shall make no allocation for any project application
24 resulting in a state share of less than two thousand five hundred
25 dollars (\$2,500) under this section.

26 ~~SECTION 1.— Section 8686.5 is added to the Government Code,~~
27 ~~to read:~~

28 ~~8686.5.— (a) Notwithstanding subdivision (a) of Section 8686,~~
29 ~~the state share shall be up to 100 percent of total state eligible costs~~
30 ~~connected with the tsunami that occurred in Mendocino County~~
31 ~~and Del Norte County in March 2011.~~

32 ~~(b) For the disaster that the Legislature has designated in~~
33 ~~subdivision (a), the state shall assume the increased share specified~~
34 ~~in subdivision (a) if the Federal Emergency Management Agency~~
35 ~~or another applicable federal agency has approved the federal share~~
36 ~~of costs.~~

37 ~~(c) The state shall not make an allocation for any project~~
38 ~~application resulting in a state share of less than two thousand five~~
39 ~~hundred dollars (\$2,500) under this section.~~

1 SEC. 2. This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or safety within
3 the meaning of Article IV of the Constitution and shall go into
4 immediate effect. The facts constituting the necessity are:

5 In order to timely provide essential relief to those persons who
6 have suffered damage or loss as a result of the tsunami that
7 occurred in ~~Mendocino County~~ and Del Norte County in March
8 2011, it is necessary that this act take effect immediately.